



Practitioner's Docket No. 2550/174

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Wachtmann et al.

Application No.: 10/601,980

Date Filed: 06/23/2003

For: Apparatus and Method of Forming a Device Layer

Group No.: 2818

Examiner: Thao Le

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

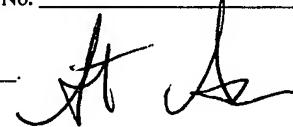
37 C.F.R. § 1.8(a)
 with sufficient postage as first class mail.

37 C.F.R. § 1.10*

as "Express Mail Post Office to Addressee"
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TRANSMISSION

facsimile transmitted to the Patent and Trademark Office, (703) _____.


Signature

Steven G. Saunders

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY					
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE			ADDIT. FEE		
TOTAL	20	—	20	=	0 x \$ 18.00	=	\$ 0.00	
INDEP.	3	—	3	=	0 x \$ 86.00	=	\$ 0.00	
***Multi dependent claim								
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+	\$ CO***	=	\$ 0.00	
				TOTAL ADDIT. FEE			\$ 0.00	

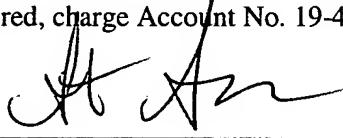
No additional fee for claims is required.

FEE DEFICIENCY

5. If an additional extension and/or fee is required, charge Account No. 19-4972.

If an additional fee for claims is required, charge Account No. 19-4972.

Date: July 14, 2004


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02550/00174 322816.1

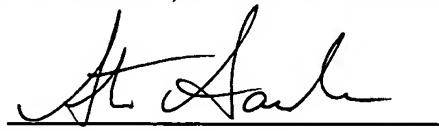


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Appl. No. : 10/601,980
Applicant : Wachtmann et al.
Filed : June 23, 2003
TC/A.U. : 2818
Examiner : Thao Le
Title: Apparatus and Method of Forming a Device Layer
Docket No. : 2550/174
Customer No. : 5542

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service in an envelope as first class mail with sufficient postage addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on July 14, 2004.



Steven G. Saunders

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to the office action of June 24, 2004, applicants request that the examiner please enter the following amendment for the above identified application as follows:

Claims begin on page 2 of this paper; and

Remarks/Arguments begin on page 5 of this paper.